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May 11, 2020

The Honorable Lorna G. Schofield
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007
By ECF

Application Granted. Defendant Simmons' sentencing hearing is adjourned to September 10, 2020 at 11:00 a.m. The Clerk of the Court is directed to terminate the letter motion at docket number 104.

Dated: May 12, 2020
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Re: *United States v. Dimitrius Simmons*, 19 Cr. 58 (LGS)

Dear Judge Schofield,

I represent Dimitrius Simmons in the above-captioned case. I write with consent from the government to request an adjournment of Mr. Simmons' sentencing until at least Fall of 2020 given our country and community's ongoing struggle with COVID-19; Mr. Simmons is currently scheduled to be sentenced on May 28, 2020 at 2:00pm. Mr. Simmons has been released on bail conditions since his arrest without issue. He is presently abiding by all his release conditions. On March 12, 2020, I filed Mr. Simmons' written sentencing submission along with a video sentencing submission. The government filed their submission on March 20, 2020.

We again ask for an adjournment of sentencing in light of the current COVID-19 pandemic and the myriad safety and logistical issues associated with preparing for a criminal sentencing at this time. Mr. Simmons is the primary caregiver to his two daughters while his partner is still at work serving New York City's homeless population; Mr. Simmons has also lost two family members to the virus. The requested adjournment will allow counsel to adequately prepare with Mr. Simmons for the final phase of his sentencing as well as allow Mr. Simmons time to prepare with his family for the difficulties ahead.

Therefore, I respectfully request that the Court adjourn Mr. Simmons' sentencing until at least Fall of 2020 from May 28, 2020 to adequately assure effective assistance at sentencing. Again, the government consents to this application.

Thank you in advance for your consideration.

Sincerely,



Christopher Madiou

cc: Christopher Clore, Assistant United States Attorney (by ECF)